

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

IN RE PLUM BABY FOOD LITIGATION

This Document Relates To: All Actions

Master File No: 4:21-CV-00913-YGR

**[PROPOSED] ORDER GRANTING
MOTION FOR APPOINTMENT OF
INTERIM CO-LEAD COUNSEL***[Motion for Appointment of Interim Co-Lead
Counsel and Declaration of Annick M.
Persinger filed concurrently herewith]*

Date: August 3, 2021

Time: 2:00 pm

Courtroom: 1, Fourth Floor

Honorable Yvonne Gonzalez Rogers

After careful consideration of the applications for appointment of interim lead counsel and the requirements of Federal Rule of Civil Procedure 23(g), the Court concludes that interim lead counsel should be appointed to achieve efficiency and economy while not jeopardizing fairness to the parties. The Court further concludes that Melissa S. Weiner of Pearson, Simon & Warshaw, LLP, Annick M. Persinger of Tycko & Zavareei LLP, and Rachel Soffin of Milberg Coleman Bryson Phillips Grossman, PLLC are best able to represent the interests of the class. Accordingly, the Court **GRANTS** Plaintiff Sarah Brown's motion, and **ORDERS** that:

1. Melissa S. Weiner of Pearson, Simon & Warshaw, LLP, Annick M. Persinger of Tycko & Zavareei LLP, and Rachel Soffin of Milberg Coleman Bryson Phillips Grossman, PLLC will serve as Interim Co-Lead Class Counsel.

2. Interim Co-Lead Class Counsel shall generally be responsible for coordinating the activities of Plaintiffs in the consolidated cases during pretrial proceedings, including:

a. To initiate, brief, and argue all motions or opposition briefs on behalf of Plaintiffs on all matters arising during pretrial proceedings, and to otherwise determine and present to the

1 court and opposing parties the position of Plaintiffs on all matters arising during pretrial
2 proceedings;

3 b. To otherwise coordinate Plaintiffs' pretrial activities and plan for trial and to
4 represent Plaintiffs at pretrial, scheduling, and status conferences;

5 c. To direct, coordinate, and conduct discovery on behalf of Plaintiffs;

6 d. To employ and consult with experts;

7 e. To conduct settlement negotiations with defense counsel, execute necessary
8 settlement documentation, and present any formalized settlement to the Court on behalf of
9 Plaintiffs;

10 f. To call and conduct meetings of Plaintiffs' counsel when appropriate;

11 g. To delegate work responsibilities to selected counsel in a manner to ensure the
12 orderly and efficient prosecution of this litigation without duplication; and

13 h. To perform such other duties as may be incidental to proper coordination of
14 Plaintiffs' pretrial activities and/or authorized by further order of the Court.

15 3. In no event shall any document be filed, or any discovery be served, on behalf of
16 Plaintiffs without the approval of Interim Lead Counsel or leave of Court. Defendant shall serve
17 all notices, orders, pleadings, motions, discovery, memoranda, and other papers on Interim Co-
18 Lead Counsel. An agreement reached between Defendant and Interim Co-Lead Counsel or their
19 designee(s) shall be binding on all the other plaintiffs' counsel in the consolidated actions.

20 4. This order shall apply to all plaintiffs' class actions related, transferred, or
21 coordinated to the above-captioned action.

22 For good cause shown, IT IS SO ORDERED.

23
24 Dated: _____

Hon. Yvonne Gonzalez Rogers
United States District Court Judge